

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 2:08CR138-P-S

UNTAUSESS BOBO,

DEFENDANT

ORDER CONTINUING TRIAL

This matter comes before the court upon the defendant's fourth motion to continue trial [26]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for June 7, 2010. Defense counsel requests a continuance to accommodate a conflicting, previously scheduled trial. The Government does not object to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(7)(A), the period of delay from June 7, 2010 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant more time to prepare for the instant case and the new indictment against him. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) The defendant's fourth motion to continue trial [26] is **GRANTED**;
- (2) Trial of this matter is continued until Monday, July 12, 2010 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;
- (3) The delay from June 7, 2010 to July 12, 2010 is excluded from Speedy Trial Act

considerations as set out above;

(4) The deadline for filing pretrial motions is June 21, 2010; and

(5) The deadline for submitting a plea agreement is June 28, 2010.

SO ORDERED this the 2nd day of June, A.D., 2010.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE